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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/573,737	03/28/2006	Nevenka Dimitrova	US030389	2719
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/573,737

Applicant(s)

DIMITROVA ET AL.

Examiner

Meless N. Zawdu

Art Unit

2617

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-17, 19 and 20 is/are rejected.
- 7) ☒ Claim(s) 8 and 18 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date 3/28/06

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date: ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

1. This action is the first on the merit of the instant application.
2. Claims 1-20 are pending in this action.

Specification

The specification lacks proper arrangement like background of the invention, summary of the invention, brief description of the drawings and detailed description of the drawings, as required. Thus, it is objected. Below is provided the proper content of a specification.

Content of Specification

- (a) Title of the Invention: See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and descriptive, preferably from two to seven words may not contain more than 500 characters.
- (b) Cross-References to Related Applications: See 37 CFR 1.78 and MPEP § 201.11.
- (c) Statement Regarding Federally Sponsored Research and Development: See MPEP § 310.
- (d) The Names Of The Parties To A Joint Research Agreement: See 37 CFR 1.71(g).
- (e) Incorporation-By-Reference Of Material Submitted On a Compact Disc: The specification is required to include an incorporation-by-reference of electronic documents that are to become part of the permanent United

States Patent and Trademark Office records in the file of a patent application. See 37 CFR 1.52(e) and MPEP § 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text were permitted as electronic documents on compact discs beginning on September 8, 2000.

- (f) Background of the Invention: See MPEP § 608.01(c). The specification should set forth the Background of the Invention in two parts:
- (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field."
 - (2) Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."
- (g) Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.
- (h) Brief Description of the Several Views of the Drawing(s): See MPEP § 608.01(f). A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.
- (i) Detailed Description of the Invention: See MPEP § 608.01(g). A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. Where elements or groups of elements, compounds, and processes, which are conventional or generally widely known in the field of the invention described and their exact nature or type is not necessary for an

understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.

- (j) Claim or Claims: See 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on separate sheet or electronic page (37 CFR 1.52(b)(3)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. There may be plural indentations to further segregate subcombinations or related steps. See 37 CFR 1.75 and MPEP § 608.01(i)-(p).
- (k) Abstract of the Disclosure: See MPEP § 608.01(f). A brief narrative of the disclosure as a whole in a single paragraph of 150 words or less commencing on a separate sheet following the claims. In an international application which has entered the national stage (37 CFR 1.491(b)), the applicant need not submit an abstract commencing on a separate sheet if an abstract was published with the international application under PCT Article 21. The abstract that appears on the cover page of the pamphlet published by the International Bureau (IB) of the World Intellectual Property Organization (WIPO) is the abstract that will be used by the USPTO. See MPEP § 1893.03(e).
- (l) Sequence Listing. See 37 CFR 1.821-1.825 and MPEP §§ 2421-2431. The requirement for a sequence listing applies to all sequences disclosed in a given application, whether the sequences are claimed or not. See MPEP § 2421.02. Furthermore the title is objected for the following reason/s.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: System and Method for Automatically Retrieving Information for a Portable Information Device.

Claim Objections

Claim 4 is objected to because of the following informalities: the preamble of claim 4 is incomplete, as indicated by the phrase "device (105) one of". Appropriate correction is required. For examination purpose, examiner considers/interprets "device one of" as "device perform one of".

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In this regard the use of "wireless communication device" (see line 4) and "portable information system" (see line 7) in the alternative is confusing and thus indefinite.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, 10-17 and are rejected under 35 U.S.C. 103(a) as being unpatentable over Darrel et al. (Darrel) (US 2005/0162523 A1) in view of Clapper (US 6,023,241)..

As per claim 1: Darrel discloses a portable information system (100) (see fig. 1), comprising:

an image sensor (130) (see fig.1, element that is capable of obtaining image signals (see fig. 1, element 12; abstract); and a wireless communication device (105) associated with said image sensor (100) (see fig. 1; elements 10 and 12; abstract; paragraph 0021) that is capable of communicating with a remotely located server (170) to obtain information that is accessible by said server (170) (see paragraphs 0007-0008; 0027);

wherein said wireless communication device (105) is capable of executing an automatic search procedure (114,118) (see at least abstract) to cause said server (170) to search for information that relates to a search parameter (see at least, paragraphs 0031, 0035, 0039) that a user inputs to said portable information system (100) (see paragraph 0030, 0046). Note: the traditional Google search.

wherein said server (170) searches for said information in a plurality of databases that are located in a plurality of networks (165) (see paragraphs 0025; claim 26). Note: the URL is a web addressed based content/document identifier/searcher that can encompass multiple networks and databases. But, Darrell does not explicitly teach about sensing audio/video, as claimed. However, in the same field of endeavor, Clapper teaches that --- a recorder with global positioning system receiver may record video frames and audio data in association with global positioning system coordinates (see abstract; col. 3, lines 61-67; col. 4, lines 53-63). It is to be noted that Darrell's photo-based deixis system includes a global positioning system (see paragraph 0009); which can thus accommodate Clapper's video/audio recorder, as taught by Clapper. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Darrell with that of Clapper's audio/video recorder for the advantage of enabling Darrell's deixis device to perform a guided multimedia tour on a trip (see col. 6, lines 42-46).

As per claim 2: Clapper teaches about a portable information system, wherein said search parameter is a video image and wherein said automatic search procedure that is executed by said wireless communication device comprises a video content retrieval procedure that utilizes a search procedure that is known as image retrieval by example (see at least, col. 7, lines 27-38). The automatic search procedure/feature is as provided by Darrell (see at least, the abstract). Besides, the phrase, "a video content retrieval procedure that utilizes a search procedure that is known as image retrieval by example", indicates that such a search technique is known and would have been obvious for any

one of ordinary skill to utilize it as evidenced by applicant's use of the same. Motivation is same as provided in the rejection of claim 1 above.

As per claim 3: Clapper teaches about a portable information system (100), wherein said search procedure (114,118) that is executed by said wireless communication device (105) causes said server (170) to locate at least one Web site that contains an image that matches said search parameter video image (see col. 2, lines 56-65). When the references are combined as shown above, the excursion server will be interfaced with the Darrell's photo-based mobile device.

As per claim 4: Darrell teaches about a portable information system (100), wherein said wireless communication device (105) [perform] one of:

receives an input from said user to select a Web site from a list of Web sites located by said search procedure, wherein each Web site in said list of Web sites contains an image that matches said search parameter video image (paragraphs 0005, 0007, claim 7); and

automatically selects a Web site from a list of Web sites located by said search procedure, wherein each Web site in said list of Web sites contains an image that matches said search parameter video image (abstract; paragraphs 0005, 0007; claim 7). The reference satisfies one of the function to be performed as called for in claim 4. Furthermore, when the references are combined as shown above, Darrell's system will include Clapper's video image.

As per claim 5: Clapper teaches about a portable information system (100), wherein said search procedure (114,118) that is executed by said wireless communication

device (105) further comprises a search procedure that is known as Web information extraction (118) (see col. 2, lines 56-65; col. 4, lines 53-63; and wherein said wireless communication device (105) executes said Web information extraction procedure (118) on said selected Web site to obtain additional information from said server (170) that relates to said search parameter video image (see col. 2, lines 56-65; col. 4, lines 53-63). When the references are combined as shown above, the search will be performed automatically as taught by Darrell (see abstract), wherein the search is based on an image acquired by pointing a camera. Besides, the use of "a search procedure that is known as Web information extraction" would have been obvious to be used by any one of ordinary skill in art since it is known, as indicated by applicant.

As per claim 6: Darrell teaches about a portable information system (100), wherein said additional information comprises one of: an audio presentation, a video presentation, a text presentation, historical information, graphical information, an artistic performance, and URL information (see paragraphs 0022, 0025).

As per claim 7: Darrell teaches about a portable information system (100), wherein said wireless communication device (105) further comprises:
a location unit (150) that is capable of providing location information to said wireless communication device (105) (see paragraphs 0023-0025).

As per claim 9: Darrel teaches about a portable information system (100), wherein said search parameter is a word and wherein said automatic search procedure (114,118) that is executed by said wireless communication device comprises a word content

retrieval procedure (114,118) (see paragraph 0032). The Darrel speech recognition uses word content retrieval procedure.

As per claim 10: Darrel teaches about a portable information system (200), wherein said wireless communication device further comprises an internally located server (170) (see paragraphs 0009). Besides, a location server is rampantly known in a mobile communications network and/or location based services.

As per claim 11: most of the features of claim 11 are similar to the features of claim 1 and are rejected on the same ground and motivation therewith. The difference features are disclosed by Darrel as indicated below.

inputting a search parameter into said portable information system (100) (see paragraph 0030);

executing an automatic search procedure (114,118) in said wireless communication device (100) to cause said server (170) to search for information that relates to said search parameter in a plurality of databases (175) that are located in a plurality of networks (165) (see paragraph 0027). Besides, claim 11 is a method claim comprising the steps that are required by the portable information system of claim 1. Therefore, since the system of claim 1 is obviated by the prior art of record and the method is required by the system, claim 11 is rejected on the same ground and motivation as claim 1.

As per claim 12: the feature of claim 12 is similar to the feature of claim 2. Hence, claim 12 is rejected on the same ground and motivation as claim 2.

As per claim 13: the feature of claim 13 is similar to the feature of claim 3. Hence, claim 13 is rejected on the same ground and motivation as claim 3.

As per claim 14: the feature of claim 14 is similar to the feature of claim 4. Hence, claim 14 is rejected on the same ground and motivation as claim 4.

As per claim 15: the feature of claim 15 is similar to the feature of claim 5. Hence, claim 15 is rejected on the same ground and motivation as claim 5.

As per claim 16: the feature of claim 16 is similar to the feature of claim 6. Hence, claim 16 is rejected on the same ground and motivation as claim 6.

As per claim 17: the feature of claim 17 is similar to the feature of claim 7. Hence, claim 17 is rejected on the same ground and motivation as claim 7.

As per claim 19: the feature of claim 19 is similar to the feature of claim 9. Hence, claim 19 is rejected on the same ground and motivation as claim 9.

As per claim 20: Darrel teaches about a method, wherein said wireless communication device further comprises an internally located server (see client application), and wherein said method further comprises the steps of:

executing said automatic search procedure in said wireless communication device to cause said internally located server to search for information that relates to said search parameter within at least one database located within said wireless communications device (see paragraphs 0026- 0027; claims 3-8); and

receiving in said wireless communication device information located by said internally located server that relates to said search parameter (see abstract; paragraphs 0023-0025).

Allowable Subject Matter

Claims 8 and 18 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record does not teach or fairly suggest -- providing a wireless communication device with an encyclopedia database that is capable of containing travel information; and providing said wireless communication device with a travel history database that is capable of containing travel information that relates to travels that a user has taken in the past, as recited in the claims mentioned above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N. Zewdu whose telephone number is (571) 272-7873. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bost Dwayne D can be reached on (571) 272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

/Meless N Zewdu/
Primary Examiner, Art Unit 2617
3/11/2009